

DETAILED ACTION

Notice to Applicant

1. The following is an Examiner's Amendment and Reason's for Allowance following Applicant's response of 6/23/10 and communications with Applicant Representative Atty. Carol Stovsky, Reg. No. 42,171, dated 7/2/10 (*see* attached Interview Summary).
2. Applicant's submission filed on 6/23/10 has been entered, in which Applicant amended claims 1, 7, 10, 12, and 18, and cancelled claims 2 and 17.
3. Of claims 1, 4-8, 10, 12, 15-16, 18-19 pending as of 6/23/10, claims 1, 4-8, 10, 12, 15-16, 18-19 are allowed as amended below.

Art Unit: 3623

Allowable Subject Matter

4. Claims 1, 4–8, 10, 12, 15–16, 18–19 as amended below are allowed over the prior art as explained further below in the reasons for allowance.

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Carol Stovsky, Reg. No. 42,171 on 7/2/10.

Art Unit: 3623

The application has been amended as follows:

In the Claims

Please amend claims 1, 7, and 10 of the application as follows:

1. A method for selecting associates for expatriate assignments comprising:
 - (a) establishing a date for a new product launch;
 - (b) determining a first period of years in advance of said date to complete an expatriate associate selection process for expatriate assignments applicable to said new product launch;
 - (c) within said first period of years:
 - (1) identifying a plurality of associates eligible for said expatriate assignments;
 - (2) providing each of said plurality of associates with preview information relevant to a plurality of expatriate assignments, said preview information comprising organization, job description, and career progression information related to said expatriate assignments;
 - (3) receiving identifying information for a first set of candidates from said plurality of associates who have:
 - (A) reviewed said preview information regarding said plurality of expatriate assignments; and
 - (B) agreed to be considered for said expatriate assignments;

Art Unit: 3623

- (4) administering a plurality of assessments to said first set of candidates;
- (5) entering in a computer assessment data for said first set of candidates completing said plurality of assessments;
- (6) preparing at said computer a candidate selection summary report for comparing assessment data across all candidates in said first set of candidates;
- (7) creating an Expatriate Pool of candidates by comparing said assessment data to select from said first set of candidates a subset of candidates to add to said Expatriate Pool of candidates;
- (8) identifying at said computer specifications for each of a plurality of expatriate assignments for said new product launch, wherein said identifying occurs a second period of years after said plurality of assessments are completed, said second period of years being a subset of said first period of years;
- (9) after identifying said assignments and after creating said Expatriate Pool of candidates, creating at said computer a group of expatriate associates for said expatriate assignments by matching assignments to candidates from said Expatriate Pool of candidates;
- (10) establishing at said computer an assignment plan for each associate in said group of expatriate associates, said assignment plan comprising activities to assist in preparing said associates for said

Art Unit: 3623

expatriate assignments;

(11) arranging for said group of expatriate associates to complete said expatriate assignments outside said associates' home countries;

(12) arranging for said group of expatriate associates to return said associates' home countries;

(d) after said first period of years and completion of said expatriate assignments and by said date, launching said new product.

7. The method of claim 6 wherein establishing an assignment plan ~~plan~~ for each associate in said group of expatriate associates comprises establishing assignment plans according to gaps identified from said motivational, behavioral, cultural, and technical assessments.

10. A method for identifying a group of associates for expatriate assignments comprising:

(a) establishing a date for a new product launch;

(b) determining a first period of years in advance of said date to complete an expatriate associate selection process for expatriate assignments applicable to said new product launch;

(c) within said first period of years:

(1) identifying a first set of candidates who may be eligible for expatriate assignments;

(2) administering a plurality of assessments to said first set of candidates;

Art Unit: 3623

- (3) entering in a computer assessment data for said plurality of assessments administered to said first set of candidates;
- (4) preparing at said computer a candidate selection summary report for comparing assessment data across all candidates in said first set of candidates;
- (5) creating an Expatriate Pool of candidates by comparing said assessment data to select from said first set of candidates a subset of candidates to add to said Expatriate Pool of candidates;
- (6) identifying at said computer specifications for each of a plurality of expatriate assignments for said new product launch, wherein said identifying occurs a second period of years after said plurality of assessments are completed, said second period of years being a subset of said first period of years;
- (7) after identifying said assignments and after creating said Expatriate Pool of candidates, creating at said computer a group of expatriate associates for said expatriate assignments by matching assignments to candidates from said Expatriate Pool;
- (8) identifying a second set of candidates who may be eligible for expatriate assignments;
- (9) administering a plurality of assessments to said second set of candidates;
- (10) entering in said computer assessment data for said plurality of

Art Unit: 3623

assessments to identify additional expatriate candidates from said second set of candidates for said Expatriate Pool;

(11) matching assignments to said additional expatriate candidates in said Expatriate Pool;

(12) arranging for said group of expatriate associates to complete said expatriate assignments outside said associates' home countries;

(13) arranging for said group of expatriate associates' to return said associates' home countries;

(d) after said first period of years and completion of said expatriate assignments and by said date, launching said new product.

Reasons for Allowance

6. The following is an examiner's statement of reasons for allowance:

In the art of worker assignment and analysis, the present invention is a plurality of methods for selecting expatriate candidates for assignment, with the end goal of launching a new product within a certain period of years. Assessments and reports are made to determine a first (and a second as per independent method claim 10) set of candidates, a period of years afterwhich the expatriate assignment is identified and candidates are matched to assignments, wherein expatriate assignments are completed before the product launch date.

The closest prior art is a public use of **Disney's Euro Disney project** [hereinafter **Euro Disney**], as evidenced by (1) Lainsbury, *Once Upon an American Dream—The Story of Eurodisneyland*, University Press of Kansas, 2000, 308 pp., pg. 93–102, 213–15; (2) Grant, *Euro Disney: From Dream to Nightmare, 1987–94*, 2002, pg. 1–23; (3) Afterthemouse.com, *A history of Disneyland Paris resort – The Disney resort that nearly closed*, 10/22/2009, pg. 1–6; (4) Koepp, *Do You Believe In Magic? Starring in its own Cinderella story, Disney transforms itself*, Time Magazine, April 25, 1988, pg. 66 (online reprint pg. 1–8); and (5) Tempest, *Challenging casting call for Disney*, Los Angeles Times, Nov. 8, 1991, A5, col. 1 (online reprint pg. 1–2); (6) Anthony, *Euro Disney: The First 100 Days*, Harvard Business School, Jun. 4, 1993, pg 1–21; (7) Harvey, *The Selection of Managers for Foreign Assignments: A Planning Perspective*, The Columbia Journal of World Business, Winter 1996, pg. 102–12; and (8) *A Disney Dress Code Chafes In the Land of Haute Couture*, The New York Times, Sec. 1, page 1, col. 5, Dec. 25, 1991 (Online Reprint pg. 1–4) [hereinafter **Disney Dress Code**].

Euro Disney teaches a method for selecting associates for expatriate assignments comprising: (a) establishing a date for a new product launch; (b) determining a period of years in advance of said date to complete an expatriate associate selection process for expatriate assignments applicable to said new product launch; (c) within said period of years: (1) identifying a plurality of associates eligible for said expatriate assignments; (2) providing each of a plurality of job candidates with preview information relevant to a plurality of expatriate assignments, said preview information comprising organization and job description information);

Art Unit: 3623

(3) receiving identifying information for a first set of candidates from said plurality of associates who have: (A) reviewed said preview information regarding said plurality of expatriate assignments; (4) administering a plurality of assessments to said first set of candidates; (7) determining specifications for each of a plurality of expatriate assignments for said new product launch ; (8) creating a group of expatriate candidates from said expatriate assignments by selecting a subset of candidates from said first set of candidates according to said specifications; (9) establishing a development plan for each candidate in said group of expatriate candidates, said development plan comprising activities to assist in preparing said candidates for said expatriate assignments; and (10) arranging for said group of expatriate candidates to complete said expatriate assignments outside said candidates' home countries; and (d) after said period of years and by said date, launching said new product.

Harvey, *The Selection of Managers for Foreign Assignments: A Planning Perspective*, The Columbia Journal of World Business, Winter 1996, pg. 102–12 teaches arranging for said group of expatriate candidates to return said candidates' home countries in the art of planning and executing expatriate assignments, via its discussion of the corporate investment and consideration in returning expatriates following and during execution of expatriate assignments, whether it's early (e.g., due to a failure and therefore costly, or a periodic trip back home) or timely (e.g., potentially advancing the career of the expatriate and benefit the company). Harvey also teaches identifying a plurality of associates who may be eligible for expatriate assignments; identifying a first set of candidates from said plurality of associates; administering a plurality of assessments to said first set of candidates; entering assessment data

Art Unit: 3623

for a first set of candidates completing said plurality of assessments and preparing candidate selection data for comparing assessment data across all candidates in said first set of candidates, including individual candidate selection worksheets/summaries; creating a group of candidates for said expatriate assignments by selecting a subset of candidates from said first set of candidates; establishing a development plan for each candidate in said group of expatriate candidates; and selecting at least one candidate from said group of expatriate candidates for said specific assignment identified from said expatriate assignments.

Mayer et al., U.S. Pat. Pub. No. 2001/0034630 [hereinafter Mayer], in the art of automated job candidate assessment and placement, teaches the functionality required for computer automation of the claimed invention; as well as (5) entering in a computer assessment data for said first set of candidates completing said plurality of assessments and (6) preparing at said computer a summary report pertaining to candidate selection across all candidates: Potential candidates are prompted to electronically enter information so as to create an online profile which provides the employer with assessment data in order to find the best suited candidate by matching candidate profile information to the requirements of a particular position. Finally, a list can be generated of all candidate matches.

Fraze, *Selecting Global Assignees*, Workforce, Vol. 77, No. 7, 1998, pg. S28 (online reprint 1–5) (teaching an expatriate selection process including self-selection, creating a candidate pool, performing a technical skills assessment, and making a mutual decision selection of candidate for expatriate assignment)

Rosnow et al., U.S. Pub. 2003/0106039 [hereinafter Rosnow] in the art of computerized product development teaches establishing a date for a new product launch; determining a period in advance of said date to complete an associate selection process for assignments applicable to said new product launch; and within said period identifying, selecting, and arranging for the group of candidates to complete the assignments, for which specifications are determined, and after said period, launching said new product.

However, neither Euro Disney, Harvey, Mayer, Frazee, nor Rosnow singularly or in combination, teach or fairly suggest, as per independent claims 1 and 10 and their dependencies, the combination of (1) *establishing a date for a new product launch . . . a first period of years in advance of said date to complete an expatriate associate selection process for expatriate assignments applicable to said new product launch . . .* (2) *within said first period of years: . . . identifying at said computer specifications for each of a plurality of expatriate assignments for said new product launch, wherein said identifying occurs a second period of years after said plurality of assessments are completed, said second period of years being a subset of said first period of years; and* (3) *after identifying said assignments and after creating said Expatriate Pool of candidates, creating at said computer a group of expatriate associates for said expatriate assignments by matching assignments to candidates from said Expatriate Pool of candidates . . . wherein after said first period of years and completion of said expatriate assignments and by said date, launching said new product.*

Art Unit: 3623

Further support for the allowance of independent claims 1 and 10 and their dependencies can be found in Applicant's response, 6/23/10, pg. 11–12. Nor does the remaining prior art of record remedy the deficiencies found in Euro Disney, Harvey, Mayer, Frazee, and Rosnow. Furthermore, neither the prior art, the nature of the problem, nor knowledge of a person having ordinary skill in the art provides for any predictable or reasonable rationale to combine prior art teachings.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUSTIN M. PATS whose telephone number is (571)270-1363. The examiner can normally be reached on Monday through Friday, 8:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on 571-272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Justin M Pats/
Examiner, Art Unit 3623

/Beth V. Boswell/
Supervisory Patent Examiner, Art Unit 3623